



Georgia

HOUSE OF REPRESENTATIVES

Tuesday
March 1,
2022

DAILY REPORT

22nd
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 23rd Legislative Day on Thursday, March 3 at 10:00 a.m.
- 12 bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 389 Employment security; change definition of employment to include services performed by an individual for wages

Bill Summary: House Bill 389 codifies existing case law to determine whether work classifies a person as an employee or an independent contractor. Further, the bill provides for an enforcement mechanism, which adds a civil penalty paid to the Department of Labor when an employer misclassifies its employees. Fines for companies with less than 100 employees are capped at \$2,500 for each misclassified employee, while fines for companies with 100 or more employees are capped at \$7,500 for each misclassified employee.

The bill states that employment does not include services performed by or facilitated through a network company, so long as the network company has a written contract with the individual that expressly states that the network company shall not unilaterally prescribe specific dates, times, or a minimum number of hours that an individual is required to be logged onto the network company's application. To apply, the contract must not be terminated by the network company if a person does not: accept a specific delivery or transportation request; restrict an individual from performing transportation or delivery services through other network companies; and contractually restrict an individual from working in any other lawful occupation or business. The bill defines "ride share network service" and "network company."

Authored By: Rep. Todd Jones (25th)
House Industry and Labor
Committee:
Floor Vote: Yeas: 162 Nays: 6

Rule Applied: Modified-Structured
Committee 02-15-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 961 Torts; authorize apportionment of damages in single-defendant lawsuits; provide for evidence of fault of nonparties

Bill Summary: House Bill 961 amends Code Section 51-12-33 to authorize apportionment of damages in single-defendant lawsuits rather than solely in multi-defendant lawsuits. In lawsuits against one or more defendants, following a reduction of damages attributed to the plaintiff's percentage of fault, the damages shall be apportioned to the liable person or persons according to each person's percentage of fault.

Authored By: Rep. Chuck Efstration (104th)
House Judiciary
Committee:
Floor Vote: Yeas: 168 Nays: 0

Rule Applied: Structured
Committee 01-25-2022 Do Pass
Action:
Amendments:

HB 974 Property; deeds; require electronic filing

Bill Summary: House Bill 974 requires recorded instruments, such as deeds, mortgages, liens, maps/plats, and state tax executions, to be filed electronically or delivered in person to the clerk of

the superior court. The clerk shall make available a public computer terminal for electronic filing access. In addition, when filing, an incorrect or missing tax parcel identification number on a recorded instrument shall not affect the validity or enforceability of the instrument. Finally, a deed to secure debt must include the following items on the first page: date, names of signatories, mailing address, map/parcel identification information, original loan amount/outstanding principal amount, initial debt maturity date, and amount of intangible recording tax or citation for a tax exemption.

Authored By: Rep. Joseph Gullett (19th)
House Judiciary
Committee:
Floor Vote: Yeas: 164 Nays: 3

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1009 Motor vehicles; use of personal delivery devices to transport cargo; authorize

Bill Summary: House Bill 1009 provides definitions and operation guidelines for personal delivery devices. The bill prohibits local authorities from enacting ordinances regarding personal delivery devices under specified conditions.

Authored By: Rep. Todd Jones (25th)
House Motor Vehicles
Committee:
Floor Vote: Yeas: 112 Nays: 53

Rule Applied: Modified-Structured
Committee 02-23-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1188 Criminal procedure; each act of child molestation charged as a separate offense; provide

Bill Summary: House Bill 1188 revises the crimes of "child molestation" and "sexual exploitation of children" to specify that each individual violation of the crimes can be charged as its own count in a charging document.

Authored By: Rep. Jodi Lott (122nd)
House Judiciary Non-Civil
Committee:
Floor Vote: Yeas: 163 Nays: 0

Rule Applied: Modified-Structured
Committee 02-16-2022 Do Pass
Action:
Amendments:

HB 1292 Education; prohibit students who participate in 4-H sponsored activities or programs from being counted as absent from school

Bill Summary: House Bill 1292 prohibits students who participate in 4-H sponsored activities or programs from being counted as absent from school. The school principal or their designee may request documentation, as proof, from a 4-H representative.

Authored By: Rep. Rick Jasperse (11th)
House Education
Committee:
Floor Vote: Yeas: 162 Nays: 0

Rule Applied: Modified-Structured
Committee 02-23-2022 Do Pass
Action:
Amendments:

HB 1302 Income tax; one-time tax credit for taxpayers who filed returns for both 2020 and 2021 taxable years; provide

Bill Summary: House Bill 1302 adds 48-7-20.1, relating to income taxes, which provides a one-time income tax refund equal to the lesser of the taxpayer's 2020 income tax liability or \$250 for a taxpayer filing as single, \$375 for a taxpayer filing as head of household, or \$500 for a married couple filing a joint return. The refund is not available for non-resident alien individuals, individuals who were claimed as a dependent for the 2020 or 2021 tax years, nor estates or trusts. The refund is automatically credited once a taxpayer files an individual income tax return for 2021, and any refunds due shall be credited against outstanding income tax liability prior to being either electronically transmitted or sent by check to the taxpayer.

Authored By: Rep. Josh Bonner (72nd)
House Ways & Means
Committee:
Floor Vote: Yeas: 148 Nays: 18

Rule Applied: Structured
Committee 02-24-2022 Do Pass by Committee
Action: Substitute
Amendments:

HB 1303 Education; transition a pilot program for elementary agricultural education to an ongoing program

Bill Summary: House Bill 1303 revises O.C.G.A. 20-2-154.3 relating to a pilot program for agricultural education in elementary schools to transition the pilot to an ongoing program. The Department of Education will provide a program evaluation to the House and Senate related committees by December 31, 2022.

Authored By: Rep. Robert Dickey (140th)
House Education
Committee:
Floor Vote: Yeas: 162 Nays: 0

Rule Applied: Modified-Structured
Committee 02-23-2022 Do Pass
Action:
Amendments:

Postponed Until Next Legislative Day**HB 1194 Motor vehicles; federal regulations regarding safe operation of commercial motor vehicles and carriers; update reference date**

Bill Summary: House Bill 1194 is the annual update to the 'Uniform Carriers Act.' It updates the effective date from January 1, 2021, to January 1, 2022, to comply with federal law.

Authored By: Rep. Clint Crowe (110th)

Rule Applied: Modified-Structured

HR 732 Local government; date temporary loans are payable from end of calendar year to fiscal year; change - CA

Bill Summary: House Resolution 732 proposes an amendment to the Georgia Constitution to change the payable date of temporary loans for counties and municipalities from December 31 of each year to within 12 months of the initial funding.

Authored By: Rep. Chuck Martin (49th)

Rule Applied: Modified-Open

Local Calendar**HB 1408 Shellman, City of; selection of mayor pro tempore; revise provisions**

Bill Summary: House Bill 1408 revises provisions relating to the selection of the mayor pro tempore of the city of Shellman.

Authored By: Rep. Gerald Greene (151st)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 155 Nays: 6

Rule Applied:
Committee 02-28-2022 Do Pass
Action:
Amendments:

HB 1411 Putnam County; State Court; district attorney shall represent the state in all criminal prosecutions and perform the duties of solicitor-general; provide

Bill Summary: House Bill 1411 provides that on and after January 1, 2023, the district attorney of the judicial circuit within which Putnam County is located shall represent the state in all criminal prosecutions brought in the Putnam County State Court.

Authored By: Rep. Trey Rhodes (120th)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 155 Nays: 6

Rule Applied:
Committee 02-28-2022 Do Pass
Action:
Amendments:

HB 1412 Greene County; qualifications for participation in health insurance program; clarify

Bill Summary: House Bill 1412 clarifies the qualifications for participation in the Greene County health insurance program.

Authored By:	Rep. Trey Rhodes (120th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	02-28-2022 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 155 Nays: 6	Amendments:	

HB 1445 Long County; Board of Commissioners; revise provisions for staggering of terms of office

Bill Summary: House Bill 1445 revises provisions for staggering the terms of office for the Long County Board of Commissioners.

Authored By:	Rep. Buddy DeLoach (167th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	02-28-2022 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 155 Nays: 6	Amendments:	

HB 1447 Grovetown, City of; Redevelopment Powers Law; provide for a referendum

Bill Summary: House Bill 1447 authorizes the city of Grovetown to exercise all redevelopment powers found in Code and the Georgia Constitution.

Authored By:	Rep. Barry Fleming (121st)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	02-28-2022 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 155 Nays: 6	Amendments:	

SB 466 DeKalb County; change the description of the education districts; change

Bill Summary: Senate Bill 466 changes the description of the DeKalb County Board of Education's districts.

Authored By:	Sen. Emanuel Jones (10th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	02-28-2022 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 155 Nays: 6	Amendments:	

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 23rd Legislative Day, Thursday, March 3, and bills may be called at the pleasure of the Speaker.

HB 508 Commerce and trade; commercial recordings, musical performances, and audiovisual works; provide protections

Bill Summary: House Bill 508 makes it unlawful for a person to advertise or conduct a performance or production in Georgia by using any false, deceptive, or misleading affiliation, connection, or association without authorization. Each advertisement, performance, or production in violation of this Code section would constitute a separate infraction. Section 2 of the bill creates the Georgia 'True Origin of Digital Goods Act,' which requires a person who owns or operates a website or online service that distributes commercial recordings or audiovisuals to consumers to clearly disclose its physical address, telephone number, and email address on such website or online service. The article shall be supplemental to those provisions of state and federal criminal and civil law that impose prohibition or provide penalties, sanctions, or remedies against the same conduct. A violation of this article is considered an unfair or deceptive act or practice of the 'Fair Business Practices Act of 1975.'

Authored By: Rep. Kasey Carpenter (4th)
House Creative Arts & Entertainment
Committee:

Rule Applied: Modified-Structured
Committee 02-22-2022 Do Pass
Action:

HB 916 Superior and State Court Appellate Practice Act; enact

Bill Summary: House Bill 916, the 'Superior and State Court Appellate Practice Act', rewrites the procedure to appeal from a lower judicatory (any government body exercising judicial or quasi-judicial authority) to superior or state court. Finding that many appeals are dismissed on complex procedural grounds and not on the merits, the bill replaces the current certiorari review process and notice of appeal statutes with a single "petition for review" procedure. Courts are required to render decisions on the merits instead of dismissing on procedural grounds unless the dismissal is expressly required by statute. The bill establishes the appellate jurisdiction of superior and state courts over a final judgment of a lower judicatory, while preempting any local law or ordinance in conflict with the Act.

The bill establishes the general procedures for the petition for review, to include: a filing requirement within 30 days after the date of the final judgment; the format for filing the petition; the amendment/extension procedures; and policies related to service of process and venue. The bill creates limited grounds for dismissal and enacts policies related to filing costs and recording of proceedings. The bill provides procedures for requiring a bond and outlines damage costs for frivolous appeals.

The bill includes conforming amendments throughout the Code, both by replacing terms and making technical changes to adopt the Code to the petition for review appellate procedure. The effective date for the bill is July 1, 2023.

Authored By: Rep. Rob Leverett (33rd)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 997 Ad valorem tax; timber equipment and timber products held by timber producers; provide exemption

Bill Summary: House Bill 997 amends 48-5-41.1, relating to the exemption of qualified farm products and harvested agricultural products from ad valorem taxation, by expanding the exemption of agricultural equipment to include timber equipment. Timber equipment includes all equipment owned or held under a lease-purchase agreement by a timber producer and is directly used in the production or harvest of timber products but does not include motor vehicles. Timber producers are defined as any one or more individuals or an entity, registered to do business in this state, which is primarily involved in the subsistence or commercial production or harvest of timber products. The

bill also provides language for a referendum to be included on the November 2022 ballot.

Authored By: Rep. Sam Watson (172nd)
House Ways & Means
Committee:

Rule Applied: Structured
Committee 02-24-2022 Do Pass
Action:

HB 1058 Income tax; affiliated corporations file separate or consolidated returns; provisions

Bill Summary: House Bill 1058 amends 48-7-21, relating to income taxation of corporations, by eliminating the requirement that affiliated corporations have prior approval from or have been requested to file a consolidated income tax return by the Department of Revenue and allowing the affiliated corporations elect to file a Georgia consolidated income tax return without the request or approval of the department. For the purposes of allocation and apportionment, each member of a Georgia affiliated group shall be considered a separate taxpayer. Any taxable loss of a member of a Georgia affiliated group shall be deductible against the taxable income of any other member of the group only if the loss is apportioned and allocated to Georgia. The choice to file a consolidated income tax return is irrevocable and binding for a period of five years. At the end of the five-year period, the taxpayer may elect to file a consolidate return again.

Authored By: Rep. Bruce Williamson (115th)
House Ways & Means
Committee:

Rule Applied: Structured
Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 1150 Freedom to Farm Act; enact

Bill Summary: House Bill 1150 eliminates definitions for "agricultural area," "changed conditions," and "urban sprawl" in order to prevent a nuisance lawsuit from being brought against a farming operation that has been active for more than one year. The start of a concentrated animal feeding operation (CAFO) shall constitute a separate and independent established date of operation, regardless of whether the CAFO is started on a pre-existing farming operation. The bill adds that the provisions of the subsection do not apply if a nuisance is caused by negligence or illegal operations.

Authored By: Rep. Robert Dickey (140th)
House Agriculture & Consumer Affairs
Committee:

Rule Applied: Modified-Structured
Committee 02-24-2022 Do Pass by Committee
Action: Substitute

HB 1216 Traffic offenses; enhanced penalties for violations of fleeing or attempting to elude a police officer; provide

Bill Summary: House Bill 1216 enhances the penalties for fleeing or attempting to elude a police officer. The minimum fine for a first conviction increases from \$500 to \$1,000 and a minimum 30-day imprisonment. A second conviction within a 10-year period has an increased minimum fine of \$2,500, up from \$1,000 and a minimum period of imprisonment of 90 days. Third convictions within a 10-year period of time carry a \$4,000 penalty, increased from \$2,500 and a minimum imprisonment of 180 days. These first three convictions are a high and aggravated misdemeanor. A fourth or subsequent conviction within a 10-year period becomes a felony and is punished by a fine not less than \$5,000 nor more than \$10,000 and imprisonment not less than 12 months nor more than 10 years.

Anyone fleeing the police who causes an accident, passes a school bus camera, is drag racing, or is found to be reckless driving is guilty of a felony and punished by a fine of at least \$5,000, but no more than \$10,000. That person is also subject to imprisonment for not less than 12 months nor more than 10 years.

Authored By: Rep. Lauren McDonald (26th)
House Public Safety & Homeland Security
Committee:

Rule Applied: Modified-Structured
Committee 02-23-2022 Do Pass by Committee
Action: Substitute

HB 1324 Health and insurance; clarify that the prudent layperson standard is not affected by the diagnoses given

Bill Summary: House Bill 1324 requires insurers to provide coverage for emergency physical or mental health care regardless of the diagnosis given.

Authored By: Rep. Beth Camp (131st)
House Committee: Insurance

Rule Applied: Modified-Structured
Committee Action: 02-16-2022 Do Pass by Committee Substitute

HB 1348 Georgia Smoke-free Air Act; revise

Bill Summary: House Bill 1348 adds vaping to the 'Georgia Smoke-free Air Act,' which prohibits smoking inside most public areas, including restaurants and government buildings. A person vaping in violation of this law will face a \$100 to \$500 fine.

Authored By: Rep. Bonnie Rich (97th)
House Committee: Health & Human Services

Rule Applied: Modified-Structured
Committee Action: 02-22-2022 Do Pass

HB 1349 Natural Resources, Dept. of; attempt to prevent net loss of land acreage available for hunting on state owned lands; extend date

Bill Summary: House Bill 1349 changes the qualifying date from July 1, 2005, to July 1, 2022, for land the Department of Natural Resources shall withhold from actions that result in the loss of state-owned acreage available for hunting.

Authored By: Rep. Jason Ridley (6th)
House Committee: Game, Fish, & Parks

Rule Applied: Modified-Structured
Committee Action: 02-23-2022 Do Pass

HB 1355 Childhood Lead Exposure Control Act; revise

Bill Summary: House Bill 1355 updates several provisions relating to lead poisoning testing and remediation. The bill reduces the required blood level of lead that would prompt public health action from 20 to 3.5 micrograms per deciliter, which can be detected through a single venous blood test or two capillary blood tests taken within 12 weeks of each other. Removal of lead-based paint and disposal activities are added to the definition of "lead hazard abatement," and lead within soil is added to the definition of "lead poisoning hazard."

Authored By: Rep. Katie Dempsey (13th)
House Committee: Health & Human Services

Rule Applied: Modified-Structured
Committee Action: 02-22-2022 Do Pass

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Energy, Utilities & Telecommunications Committee

HB 1372 Georgia Utility Facility Protection Act; revise provisions and short title

Bill Summary: House Bill 1372 revises the 'Georgia Utility Facility Protection Act' in order to enhance the processes for locate requests of underground utility facilities or infrastructure and to require 9-1-1 to be contacted if an excavator damages a gas or hazardous liquid pipeline.

The bill states that all owners or operators that maintain underground facilities must participate as members of the Utilities Protection Center (UPC). An "underground facility" is defined as an underground fiber, conductor, pipe, or structure used to provide traffic control; traffic management; electric service; communications service; or carry gas, oil, sewage, wastewater, storm drainage, or other water or liquids. The bill states that all underground facilities, excluding sewer cleanouts and water meter boxes, must be located within the public right-of-way and in accordance to the specifications in the bill. Sewer cleanouts and water meter boxes that establish the exact location of an underground facility must be located within ten feet of the public right-of-way to be considered a permanent marker of the related underground facility.

No person shall blast or excavate with mechanized excavating equipment until the person has submitted a locate request for underground facilities to the UPC. The locate request must include a specific "effective date" or date for which the requested blasting or excavating is expected to start, and the duration of time in which the blasting or excavating is expected to take place. The locate request must also include "appropriate notice", which is associated with the expected effective date for the blasting or excavating to begin. The appropriate notice may not be less than two business days or more than eight business days.

Starting July 1, 2023, the Department of Transportation (DOT) shall participate in and cooperate with the UPC for purposes of receiving locate requests in DOT's right-of-way. DOT shall not participate in the funding of the UPC or its activities.

HB 1372 is effective on September 1, 2022.

Authored By: Rep. Vance Smith (133rd)
House Committee: Energy, Utilities & Telecommunications

Committee Action: 03-01-2022 Do Pass

Health & Human Services Committee

HB 937 Medicaid; coverage for annual mammograms at no cost to recipient; provide

Bill Summary: HB 937 requires the Department of Community Health to provide Medicaid coverage for mammograms at no cost to the patient.

Authored By: Rep. Sharon Henderson (113th)
House Committee: Health & Human Services

Committee Action: 03-01-2022 Do Pass by Committee Substitute

HB 1042 OneGeorgia Authority Act; grant program to establish primary care medical facilities in health professional shortage areas; provide

Bill Summary: House Bill 1042 requires the OneGeorgia Authority to create a grant program subject to appropriations. This program provides grants to eligible development authorities seeking to establish primary care medical facilities in health professional shortage areas. "Primary care medical facility" is defined as any facility where the majority of the services provided are primary care, dental care, or mental health services. Awarded grant amounts shall not to exceed \$200,000 and are

determined by the review of the primary care shortage; local commitment; consistency with local healthcare objectives; readiness and feasibility; geographic distribution of current primary care facilities; and cost estimates. Pending grant awards are approved by the governor and the Board of Community Health.

Authored By: Rep. Rick Jasperse (11th)
House Committee: Health & Human Services

Committee Action: 03-01-2022 Do Pass

HB 1279 Controlled substances; certain persons to carry prescription medications in a compartmentalized container; authorize

Bill Summary: House Bill 1279 allows people with a chronic disease or over the age of 65 to carry one or more medications prescribed by a licensed physician. Medications must be held in a compartmentalized medication container has the capacity to hold up to a 21-day supply. Persons must provide the names of medication to law enforcement if requested.

Authored By: Rep. Matthew Gambill (15th)
House Committee: Health & Human Services

Committee Action: 03-01-2022 Do Pass by Committee Substitute

HB 1453 Crimes and offenses; access to medical cannabis; revise provisions

Bill Summary: House Bill 1453 transfers the operation and maintenance of the Low-THC Oil Patient Registry from the Department of Public Health to the Georgia Composite Medical Board under the Department of Community Health. The Georgia Access to Medical Cannabis Commission will contract with a third-party non-profit organization with experience in accreditation to accredit independent laboratories. The board will also issue a request for proposal for a third party to operate the patient registry no later than October 1, 2022. The number of production licenses will increase from six to 12, with the Class 1 licenses increasing from two to four and the Class 2 licenses increasing from four to eight. One additional license will be issued for every 50,000 people added to the patient registry after the initial two Class 1 and four Class 2 licenses are provided. Applicants with an active lawsuit against the commission will not be eligible for a license at the time of the lawsuit. Patient registration cards will be valid for one year and 30 days.

Authored By: Rep. Sharon Cooper (43rd)
House Committee: Health & Human Services

Committee Action: 03-01-2022 Do Pass by Committee Substitute

SB 116 Children and Youth Services; registration of maternity supportive house residences to provide housing for pregnant women; provide

Bill Summary: Senate Bill 116 requires registration of maternity-supportive housing residences providing housing for pregnant and postpartum women aged 18 years or older. Registrants will be required to pay a \$250 registration to the Department of Human Services, and registration certificates will be valid for one year. The department will not have authority to implement regulations for registration of maternity homes, but can maintain submitted records. No municipality can constrain the establishment of a maternity home to an extent beyond that of a single-family residence.

Authored By: Sen. Randy Robertson (29th)
House Committee: Health & Human Services

Committee Action: 03-01-2022 Tabled

Motor Vehicles Committee

HB 202 Georgia Driver's Education Commission; violation of traffic laws or ordinance under Joshua's Law; increase additional penalty

Bill Summary: House Bill 202 increases the additional penalty under Joshua's Law from 1.5 percent to 3 percent of the original fine. The bill removes the sunset provision on this Code section. The bill expands eligibility for specified driver education and training to persons 21 years of age or younger

in specified instances as well as establishes the Driver's Education Trust Fund.

Authoring By: Rep. Bill Hitchens (161st)
House Motor Vehicles
Committee:

Committee 03-01-2022 Do Pass by Committee
Action: Substitute

Regulated Industries Committee

HB 884 Professions and businesses; expedited licenses for military spouses; provisions

Bill Summary: House Bill 884 requires professional licensing boards under the purview of the Secretary of State to provide expedited licenses by endorsement within 30 days from the application date, and receipt of all the required materials, to spouses of military service members within Georgia.

Authoring By: Rep. D. C. Belton (112th)
House Regulated Industries
Committee:

Committee 03-01-2022 Do Pass by Committee
Action: Substitute

HB 1193 Funeral directors and embalmers; reinstatement of lapsed license under certain conditions; provide

Bill Summary: House Bill 1193 requires the Georgia Board of Funeral Service to allow licensees that had their license lapse for no more than 10 years to be reinstated after paying the required renewal fees for the lapsed time, in addition to a reinstatement fee. Licensees are also required to complete continuing education hours. In order to be eligible for reinstatement, licensees cannot have been subject to disciplinary action by the board. The bill also removes the limitation on apprenticeship registrations.

Authoring By: Rep. Matthew Gambill (15th)
House Regulated Industries
Committee:

Committee 03-01-2022 Do Pass by Committee
Action: Substitute

HB 1400 Georgia Access to Medical Cannabis Commission; subject to state procurement laws; provide

Bill Summary: Section I: Contracts entered into by the Georgia Access to Medical Cannabis Commission pursuant to O.C.G.A. 16-12-203(2) will become subject to the state purchasing laws in Title 50, Chapter 5, Article 3.

Section II: The terms of office of the members currently on the Medical Cannabis Commission Oversight Committee will end on June 30, 2022. After July 1, 2022, the oversight committee will be composed of the members of the House Regulated Industries Committee and the Senate Regulated Industries and Utilities Committee. The bill removes the limitation on what the Georgia Access to Medical Cannabis Commission must provide to the oversight committee, including the requirements regarding personal identifying information, information marked as trade secrets, information that would interfere with an ongoing license application, or information that would create law enforcement or security risks. These requirements are replaced with a stipulation that the commission shall not share any information that would be exempt from public disclosure pursuant to O.C.G.A. 50-18-72 or pursuant to federal or state privacy laws.

Section III: The number of Class 1 production licenses is increased from two to nine. Class 1 licenses allow for growing cannabis in indoor production facilities for production of low-THC oil. The license is limited to 100,000 square feet of cultivation space.

Section IV: The number of Class 2 production licenses is increased from four to 19. Class 2 licenses allow for growing cannabis in indoor production facilities for production of low-THC oil. The license is limited to 50,000 square feet of cultivation space.

Section V: This section changes the start date from January 1, 2022, to January 1, 2024, for the retrospective study of the participation of minority and women-owned businesses as licensees. The period being studied is changed to January 1, 2022, through December 31, 2023.

Section VI: This section, dealing with confidentiality, is revised to say that only working papers; recorded information; documents; and copies produced by, obtained by, or disclosed to the commission pursuant to the activities conducted pursuant to this part shall be subject to Article 4 of Chapter 18 of Title 50, relating to open records.

Section VII: This section requires the commission to retain qualified third-party consultants to assist the commission in developing procurement solicitation documents and evaluation criteria, in reviewing and evaluating proposals, or to provide other advice to the commission. Also, the bill clarifies that replacement licenses can be awarded for any licenses that are revoked or surrendered. The commission is required to award up to seven additional Class 1 production licenses and up to 15 additional Class 2 production licenses by June 30, 2022. These awards are to be given to the apparent successful applicants identified in the commission's notices of intent to award, dated July 24, 2021, and shall be awarded to those applicants that filed post-award protests to such notices of intent to award. Those applicants challenging the awards are allowed to choose whether they want a Class 1 or Class 2 production license, so long as they applied for both, although the aggregate number of production licenses awarded shall not exceed 22.

Authored By: Rep. Alan Powell (32nd)
House Regulated Industries
Committee:

Committee 03-01-2022 Do Pass
Action:

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Wednesday - March 2, 2022

9:00 AM	JUDICIARY COMMITTEE	132 CAP HYBRID	VIDEO	Agenda
9:00 AM	AGRICULTURE AND CONSUMER AFFAIRS COMMITTEE	406 CLOB HYBRID	VIDEO	Agenda
10:00 AM	Regulated Industries Occupational / Professional Licensing Subcommittee	606 CLOB HYBRID	VIDEO	Agenda
10:00 AM	INDUSTRY AND LABOR COMMITTEE	406 CLOB HYBRID	VIDEO	Agenda
10:00 AM	LEGISLATIVE & CONGRESSIONAL REAPPORTIONMENT COMMITTEE	506 CLOB HYBRID	VIDEO	Agenda
11:00 AM	HEALTH AND HUMAN SERVICES COMMITTEE	506 CLOB HYBRID	VIDEO	Agenda
11:00 AM	BUDGET & FISCAL AFFAIRS OVERSIGHT	403 CAP HYBRID	VIDEO	Agenda
12:30 PM	DEFENSE AND VETERANS AFFAIRS COMMITTEE	406 CLOB HYBRID	VIDEO	Agenda
1:00 PM	HIGHER EDUCATION COMMITTEE	606 CLOB HYBRID	VIDEO	Agenda
1:30 PM	Ways & Means Income Tax Subcommittee	403 CAP HYBRID	VIDEO	Agenda
2:00 PM	GOVERNMENTAL AFFAIRS COMMITTEE	406 CLOB HYBRID	VIDEO	Agenda
3:00 PM	JUDICIARY NON-CIVIL COMMITTEE	132 CAP HYBRID	VIDEO	Agenda
3:00 PM	PUBLIC SAFETY & HOMELAND SECURITY COMMITTEE	406 CLOB HYBRID	VIDEO	Agenda